UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

5 3-4 2227

UNITED STATES

7.7

CRIM. NO. 03 CR 10370-DPW

GARY NEWELL,

Defendant

DEFENDANT GARY NEWELL'S MOTION FOR PREPARATION OF TRANSCRIPT AT GOVERNMENT'S EXPENSE

Pursuant to Criminal Justice Act, 18 U.S.C., Section 3006A, defendant Gary Newell respectfully requests that the Court order a transcript of the testimony of Trooper Mark Reid during the motion to suppress hearing in the above-entitled matter conducted on July 28, 2005 be prepared at the Government's expense.

As reason therefore, the defendant states that he is in the process of retaining an expert to testify in the area of drug detector canine training and performance. It is necessary for the defendant's expert to review a transcript of Trooper Reid's testimony on direct examination by the Government so that defense counsel can make an appropriate proffer to the Court concerning the expert's expected testimony and opinions. The defendant has

been determined to be indigent by the United States Pretrial
Services Department and has no funds to pay for a transcript
which will cost \$198. Consequently, a court order providing for
the preparation of this transcript at the Government's expense is
in the interests of justice.

Dated: July 28, 2005

Respectfully submitted, Gary Newell, By his attorney,

Debra A. DelVecchio B.B.O. No. 542139

DEL VECCHIO & HOUSEMAN

15 Front Street Salem, MA 01970 (978) 740-5999

CERTIFICATE OF SERVICE

I, Debra A. DelVecchio, hereby certify that a copy of the foregoing defendant's Motion for Preparation of Transcript at Government's Expense was sent by first class, postage prepaid to AUSA Rachel Hershfang, United States Attorney's Office, United States District Court, Ninth Floor, Moakley Federal Courthouse, One Courthouse Way, Boston, MA 02110 this 2005.

Debra A. DelVecchio B.B.O. No. 542139